

## **II. REMARKS**

Claims 1-5, 7-11, 13, 15 and 16 were examined in the Office Action under reply. Applicant notes with appreciation the withdrawal of the previous rejection under 35 U.S.C. §101. However, the claims remain rejected under the judicially created doctrine of obviousness-type double patenting.

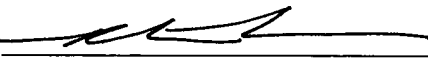
In particular, claims 1-5, 7-11, 13, 15 and 16 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over (1) claims 1-17 of U.S. Patent No. 6,376,237; (2) claims 1, 2, 7, 8 and 12-15 of U.S. Patent No. 6,365,403; and (3) claims 1-13 and 15-25 of U.S. Patent No. 6,001,650. Applicant is submitting a Terminal Disclaimer as requested. Thus, these bases for rejection have been overcome and withdrawal thereof is respectfully requested.

### III. CONCLUSION

In view of the foregoing, applicant submits that the claims are now in condition for allowance and request early notification to that effect. If the Examiner notes any further matters which she believes may be resolved by a telephone interview, she is encouraged to contact Christina Thomson by telephone at (510)748-7208, or by fax at (510)748-7368.

Respectfully submitted,

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